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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

Shaun Williams

CASE NO. 3:21-cv-05910-BHS  
[to be filled in by Clerk's Office]

COMPLAINT FOR VIOLATION  
OF CIVIL RIGHTS  
(for use only by plaintiffs not in  
custody)

Plaintiff(s),

v.

Jury Trial: ☐ Yes ☒ No

Robert Ferguson

Kevin Hull

Matthew Clucas

Defendant(s).

**I. THE PARTIES TO THIS COMPLAINT**

**A. Plaintiff(s)**

*Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.*

|                    |                      |
|--------------------|----------------------|
| Name               | Shaun Williams       |
| Street Address     | PO Box 2233          |
| City and County    | Port Orchard, Kitsap |
| State and Zip Code | Wa 98366             |
| Telephone Number   | (360) 434-8339       |

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## B. Defendant(s)

*Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.*

## Defendant No. 1

|  |   |
|--|---|
| Name   | Robert Ferguson                                       |
| Job or Title <i>(if known)</i>               | Washington State Attorney General                     |
| Street Address                               | 1125 Washington St SE                                 |
| City and County                              | Olympia, Thurston                                     |
| State and Zip Code                           | 98504   |
| Telephone Number                             | (360) 664-9083  |
| <input type="checkbox"/> Individual capacity | <input checked="" type="checkbox"/> Official capacity |

## Defendant No. 2

|   |   |
|---|---|
| Name  | Kevin Hull  |
| Job or Title <i>(if known)</i>                          | Kitsap County Superior Court Department 6             |
| Street Address  | 14 Division St  |
| City and County   | Port Orchard, Kitsap                                  |
| State and Zip Code                                      | Wa 98366  |
| Telephone Number  | (360) 337-5704  |
| <input checked="" type="checkbox"/> Individual capacity | <input checked="" type="checkbox"/> Official capacity |

## Defendant No. 3

|   |   |
|---|---|
| Name  | Matthew Clucas  |
| Job or Title <i>(if known)</i>                          | Kitsap County Superior Court Commissioner             |
| Street Address  | 14 Division St MS 24                                  |
| City and County   | Port Orchard, Kitsap                                  |
| State and Zip Code                                      | Wa 98366  |
| Telephone Number  | (360) 337-7140  |
| <input checked="" type="checkbox"/> Individual capacity | <input checked="" type="checkbox"/> Official capacity |

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Defendant No. 4

Name

Job or Title (*if known*)

Street Address

City and County

State and Zip Code

Telephone Number

☐ Individual capacity

☐ Official capacity

## II. PREVIOUS LAWSUITS

Have you brought any other lawsuits in any federal court in the United States:?

☒ No

☐ Yes

If yes, how many? \_\_\_\_\_

Describe the lawsuit:

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Parties to this previous lawsuit:

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Plaintiff(s)

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Defendant(s)

*(If there is more than one previous lawsuit, describe the additional lawsuits on another piece of paper using the same outline. Attach additional sheets, if necessary)*

Court and name of district:

Docket Number:

Assigned Judge:

Disposition: *(For example, was the case dismissed as frivolous or for failure to state a claim? Was it appealed? Is it still pending?)*

Approximate filing date of lawsuit:

Approximate date of disposition:

### III. BASIS FOR JURISDICTION

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens*

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1 *v. Six Unknown Named Agents of Federal Bureau of Narcotics, 403 U.S. 388 (1971)*, you may  
 2 sue federal officials for the violation of certain constitutional rights.

3 A. Are you bringing suite against (*check all that apply*):

4 ☐ Federal officials (a *Bivens* claim)

5 ☒ State or local officials (a § 1983 claim)

6 B. Section 1983 allows claims alleging the "deprivation of any rights, privileges, or  
 7 immunities secured by the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are  
 8 suing under section 1983, what federal constitutional or statutory right(s) do you claim  
 9 is/are being violated by state or local officials?

10 Deprived of property and liberty without due process due to court order issued contrary to federal law  
 11 and supreme court precedent. Violation of the 14th Amendment.  
 12  
 13

14 C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional  
 15 rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are  
 16 being violated by federal officials?

17  
 18  
 19  
 20

21 D. Section 1983 allows defendants to be found liable only when they have acted "under  
 22 color of any statute, ordinance, regulation, custom, or usage, of any State or Territory  
 23 or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983,  
 24 explain how each defendant acted under color of state or local law. If you are suing

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under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

Mr. Clucas acted in his capacity as Kitsap County Family Court Commissioner to issue an order that was contrary to federal law and Supreme Court precedent. He then denied a motion to vacate citing applicable federal law. Mr. Hull is Mr. Clucas' superior and also denied the motion to vacate when brought before him. Mr. Ferguson is the head of the state judicial system and in charge of both men.

#### IV. STATEMENT OF CLAIM

*State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.*

Mr. Clucas issued an order contrary to federal law and Supreme Court precedent. He then held me in contempt of that order. He further denied a motion to vacate as void due to federal law superseding his order. Mr. Hull also denied that motion when brought before him. Mr. Ferguson failed to provide clear direction to his judges in regards to VA disability claims.

A. Where did the events giving rise to your claim(s) occur?

Kitsap County Superior Court

B. What date and approximate time did the events giving rise to your claim(s) occur?

August 6, 2019; February 29, 2020; January 6, 2021

C. What are the facts underlying your claim(s)? *(For example: What happened to you?*

*Who did what? Was anyone else involved? Who else saw what happened?)*

An order indemnifying my former spouse for loss of income from my military retirement due to the award of Veteran's Administration Disability was issued by Mr. Clucas. He further held me in contempt during the pandemic when I was unemployed and the disability was my only income. Mr. Clucas has denied any motion to vacate as void and threatens

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me with jail if I do not pay. This has resulted in my homelessness and destitution. Mr. Clucas is not authorized to act as an attorney by the VA.

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## V. INJURIES

*If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.*

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## VI. RELIEF

*State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.*

I ask that the court vacate the Maintenance and Contempt orders issued by Mr. Clucas.

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I further ask that Mr. Clucas be ordered to repay me the \$14,110.97 as of today that

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I overpaid my former spouse as a result of his order. I further ask that the court fine Mr. Clucas,

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Mr. Hull and Mr Ferguson as federal law allows for such actions. I further ask for as much punitive damages as this court finds fair.

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## VII. CERTIFICATION AND CLOSING

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

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I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 13DEC21

Signature of Plaintiff Shaun Williams

Printed Name of Plaintiff Shaun Williams

Date of signing: \_\_\_\_\_

Signature of Plaintiff \_\_\_\_\_

Printed Name of Plaintiff \_\_\_\_\_

Date of signing: \_\_\_\_\_

Signature of Plaintiff \_\_\_\_\_

Printed Name of Plaintiff \_\_\_\_\_